



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,514	12/27/2001	Sidney E. Frank	4148-4002	8649

7590 05/28/2004
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053

EXAMINER

NGUYEN, JIMMY H

ART UNIT	PAPER NUMBER
----------	--------------

2673

13

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

10/033,514

Applicant(s)

FRANK ET AL.

Examiner

Jimmy H. Nguyen

Art Unit

2673

All participants (applicant, applicant's representative, PTO personnel):

(1) Jimmy H. Nguyen.

(3) Bakerman Bruce (applicant).

(2) Richard Erwine (applicants' rep.).

(4) Joseph Degirolamo applicants' rep.).

Date of Interview: 26 May 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1, 15, 16 and 24.

Identification of prior art discussed: Kimura (USPN: 5,553,735) and de la Huerqa (USPN: 5,852,590).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed and agreed the attached proposed amended claims 1, 15, 16 and 24 overcoming the cited prior arts in the last Office Action dated 04/23/2004.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

DRAFT

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (CURRENTLY AMENDED): A system for displaying a moving image, comprising:
 - a display system;
 - a container having a an external sidewall and an internal sidewall, said external sidewall having a first external opening thereon; and
 - an interior compartment located within said container and extending inward into said container, said interior compartment accessible from said first external opening on said external sidewall, said display system housed in said interior compartment,wherein said display system comprises:
 - a first display unit for displaying a an image thereon, said first display unit securely displayed from said first external opening on said external sidewall, said first display unit being parallel to the plane of said external sidewall;
 - a control unit for controlling display of said image on said first display unit; and
 - a power unit for providing power to cause display of said image on said first display unit.
2. (ORIGINAL): The system of claim 1, further comprising an audio generation unit for producing at least one sound in conjunction with the image being displayed.
3. (ORIGINAL): The system of claim 2, wherein said audio generation unit further comprises a piezoelectric disk or a speaker for broadcasting said sound being generated.

841218 v3

Serial No. 10/033,514

-3-

Docket No. 4148-4002

10. (PREVIOUSLY PRESENTED): The system of claim 1, wherein said control unit comprises a manual control unit that allows a user to manually change the image displayed by said first display unit and sound produced by said audio unit.

11. (PREVIOUSLY PRESENTED): The system of claim 10, wherein said manual control unit comprises of at least one button control on said sidewall for facilitating manual selection of audio-visual output from said display system.

12. (PREVIOUSLY PRESENTED): The system of claim 10, wherein said manual control unit further comprises a remote control unit to allow usage of a remote control device.

13. (PREVIOUSLY PRESENTED): The system of claim 1, wherein said power unit is a battery device.

14. (PREVIOUSLY PRESENTED): The system of claim 1, wherein said interior compartment has a second opening that is located diametrically opposite to said first opening in said sidewall, wherein the power unit is accessible from said second opening.

15. (CURRENTLY AMENDED): A container displaying a moving image from a sidewall thereof, the container having an interior housing cavity with two distinct diametrically opposite external openings in said sidewall to house a display system therein, the display system comprising:

a display unit for displaying said moving image thereon, said display unit secured from one of said external openings of the interior housing cavity, accessible from said external opening and substantially lying in the plane of said sidewall such that it appears visually flush with the sidewall;

841218 v3

Serial No. 10/033,514

-4-

Docket No. 4148-4002

a controller device in communication with said display unit for controlling display of said image on said display unit; and

a power unit for providing power to cause display of said image on said display unit.

16. (CURRENTLY AMENDED): A display system for displaying a motion picture on a container sidewall, the container having an interior housing cavity with two distinct diametrically opposite external openings in said sidewall to house the display system therein, the display system comprising:

a display means for displaying said image thereon, said display means attached from a first external opening of the interior housing cavity such that the display means lies substantially flush with the container sidewall;

a control means for controlling display of said image on said display means, said control means housed in the interior housing cavity; and

a power means for powering display of said image on said display means, said power means accessible from a second external opening of the interior housing cavity.

17. (ORIGINAL): The display system of claim 16, further comprising a sound generation means for producing at least one sound in conjunction with the motion picture being displayed.

18. (ORIGINAL): The display system of claim 17, wherein said control means further comprises an automated controller capable of changing the motion picture displayed by said display means and sound produced by said sound generation unit in accordance with a programmed sequence.

841218 v3

Serial No. 10/033,514

-6-

Docket No. 4148-4002

24. (CURRENTLY AMENDED): A system for displaying moving images, comprising:

a first container defined by a rigid surface, said surface having a first external opening therein, said first container having a first compartment in its interior, such that the first compartment extends inward into said first container, is hollow and is accessible from said first external opening;

a display unit for displaying the moving images from said surface, said display unit comprising an image generation means and an image display means, said image generation means housed in said first compartment, said image display means attached from said first external opening so that the moving images appear to be displayed from said surface.

25. (ORIGINAL): The system of claim 24, further comprising a power means for supplying electric power to said display unit.

26. (PREVIOUSLY PRESENTED): The system of claim 25, wherein said power means is housed in said first compartment.

27. (PREVIOUSLY PRESENTED): The system of claim 25, wherein said surface has a second external opening therein, such that the first compartment is accessible from said second external opening.

28. (PREVIOUSLY PRESENTED): The system of claim 27, wherein said display unit has a second image display means, said second image display means attached from said second external opening so that the moving images appear to be displayed from said surface.

29. (PREVIOUSLY PRESENTED): The system of claim 28, wherein said first external opening is substantially diametrically opposite to said second external opening.

841218 v3